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7 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 JOHN L. BENNETT,

10 Petitioner,

11 v.

12 STATE OF WASHINGTON

13 Respondent.
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Case No. C09-5027BHS/JKA

ORDER DENYING PETITIONER'S
MOTION FOR AN EVIDENTIARY
HEARING

15 This habeas corpus petition has been referred to the undersigned Magistrate Judge pursuant
16 to Title 28 U.S.C. §§ 636(b)(1)(A) and 636 (b)(1)(B) and Local Magistrate Judges' Rules MJR 3
17 and MJR 4. Petitioner seeks federal habeas corpus relief pursuant to 28 U.S.C. § 2254. (Dkt. # 1).

18 The court has ordered petitioner to amend the petition or file a motion to change the caption
19 to name a proper respondent (Dkt. # 4). Petitioner has filed a motion for an evidentiary hearing
20 (Dkt. # 3). Petitioner has not shown a hearing is needed. Further, the court does not currently have
21 in personal jurisdiction over a respondent. The motion is **DENIED**.

22 The clerk is ordered to send copies of this order to the petitioner.
23

24 DATED this 2 day of March, 2009.
25

26 /S/ J. Kelley Arnold
27 J. Kelley Arnold
28 United States Magistrate Judge

ORDER